

FILED

January 19, 2023

UNITED STATES DISTRICT COURT

for the

Western District of Texas

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: Veronica Medina
DEPUTY

United States of America

v.

David RAMIREZ

Case No. **EP-23-MJ-159-LS***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 18, 2023 in the county of Hudspeth in the
Western District of Texas, the defendant(s) violated:*Code Section*8 U.S.C. 1324 (a)(A)(ii) and (a)(1)
(ii)*Offense Description*knowing and in reckless disregard of the fact that an alien has come to,
entered, and remained in the United States in violation of law, did transport,
move, and attempt to transport and move such alien within the United States
in furtherance of said violation of law.

This criminal complaint is based on these facts:

See attached.

☒ Continued on the attached sheet.Complaint sworn to telephonically on
January 19, 2023 at 01:15 PM and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**~~XX~~Date: 01/19/2023City and state: El Paso, Texas
Complainant's signature

Roberto Cenicerros, Border Patrol Agent

Printed name and title


Judge's signature

Leon Schydlower U.S. Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

David RAMIREZ

PEPT# PEPT230100139

01/19/2023

FACTS (CONTINUED)

On January 18, 2023, at approximately 4:15 A.M, a Border Patrol Agent (BPA) assigned to camera control at the Fort Hancock Border Patrol Station advised other BPAs via his service radio that he observed approximately four individuals on a camera walking near Texas Highway 20 (TX-HWY 20). This area is known as County Lakes and is located in Hudspeth County, Texas in the Western District of Texas, approximately .3 miles north of the U.S/Mexico International boundary.

The BPA observed the individuals standing at TX-HWY 20 for several minutes before being picked up by a vehicle later identified as a White Nissan Sentra. The driver of the vehicle was then observed driving westbound on TX-HWY 20. An assisting BPA responded to the area and observed the taillights of a vehicle driving westbound near the County Lakes. There were no other visible vehicles in the immediate area. The BPA proceeded to conduct a vehicle stop on the White Nissan Sentra. At that time, an additional BPA arrived to provide assistance. The BPAs approached the vehicle to conduct an immigration inspection and observed one individual in the driver's seat and what appeared to be the outline of a several bodies in the back seat, attempting to conceal themselves under a blanket. A BPA identified himself as a United States Border Patrol Agent and questioned the driver, later identified as David RAMIREZ (herein referred to as DEFENDANT) as to his citizenship. The DEFENDANT then stated he was a United States Citizen. The BPA asked the DEFENDANT to step out of the vehicle to which he complied. The BPA then asked the DEFENDANT who the individuals in the back seat were, at that time, the DEFENDANT stated he didn't know them. An assisting BPA then proceeded to open the rear door of the vehicle and removed the blanket, discovering four individuals. The BPA identified himself as a United States Border Patrol Agent and questioned the individuals regarding their citizenship. All four individuals were determined to be illegal aliens. At that time, all four individuals were removed from the vehicle and placed under arrest. BPAs transported the DEFENDANT and the four illegal aliens to the Fort Hancock Border Patrol Station for further processing and investigation.

At the station, the DEFENDANT was advised of his Miranda Rights to which he acknowledged and agreed to sign, affirming the fact that he understood. The DEFENDANT also agreed to speak to BPAs without the presence of an attorney. BPAs requested consent to search the DEFENDANT'S cellular phone. The DEFENDANT granted BPAs consent by signing the United States Border Patrol Consent to Search Form for Telephones.

The following is the DEFENDANTs post Miranda statement, non-verbatim, as to his involvement in the alien smuggling scheme. The DEFENDANT stated that he knew the individuals he was picking up were illegal aliens. The DEFENDANT stated that he knew it was illegal to pick up illegal aliens. The DEFENDANT stated that he picked up the illegal aliens because he needed money and further stated that he wasn't sure of the amount he was going to be paid. The DEFENDANT stated that he was in contact with a smuggler who would send him pickup locations.

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

David RAMIREZ

PEPT# PEPT230100139

01/19/2023

FACTS (CONTINUED)

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

Immigration History:
NONE

Criminal History:
NONE